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OCT 17 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Giffin

Serial No. : 10/808,673

Filed: 03/24/2004

Title: VARIABLE VALVE

Docket No.: GIFF0001CIP

Art Unit: 3747

Examiner: Huynh, Hai H.

Date: 17 October 2005

Assistant Commissioner for Patents  
Mail Stop - Amendments  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is submitted:

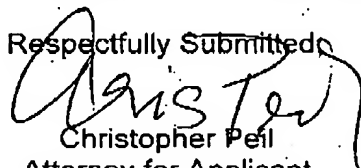
- ( ) under 37 CFR 1.97(b), or  
(within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- (X) under 37 CFR 1.97(c) together with either a:
  - (X) Certification under 37 CFR 1.97(e), or
  - ( ) a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ( ) under 37 CFR 1.97(d) together with a:
  - ( ) Certification under 37 CFR 1.97(e), and
  - ( ) a \$220.00 fee under 37 CFR 1.17(d)(2)(ii), and
  - ( ) a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1)  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)
- (X) The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 07-1445 (Order No. GIFF0001CIP).

(X) Applicant(s) submit herewith Form PTO 1449 -- Information Disclosure Citation together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.25.

( ) A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 156(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

Respectfully Submitted,



Christopher Pell  
Attorney for Applicant  
Reg. No. 45,005

Customer No. 22862

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No. : 10/808,673

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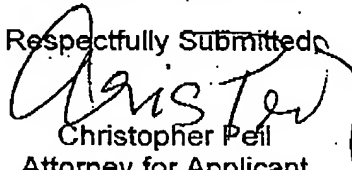
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Respectfully Submitted



Christopher Pell  
Attorney for Applicant  
Reg. No. 45,005

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Giffin

Serial No.: 10/808,673

Filed: 24 March 2004

Title: Variable Valve

Docket No.: GIFF0001CIP

Art Unit: 3747

Examiner: Huynh, Hai H.

Date: 17 October 2005

Commissioner of Patents  
Mail Stop - Amendments  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATION FOR  
INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97(e)**

Dear Sir:

A certification is being made for the Information Disclosure Statement accompanying this certification.

**CERTIFICATION**

I, the person signing below, certify

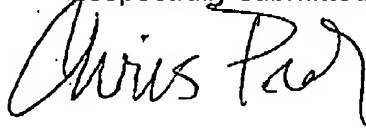
(x) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. (37 CFR 1.97(e)(1))

( ) that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 CFR 1.97(e)(2).

The person making this certification is the attorney who signs below on the basis of the information:

- ( ) supplied by the inventor(s)
- ( ) supplied by an individual designated in §1.56(c)
- (x) in the attorney's file

Respectfully submitted,



Christopher Peil  
Reg. No. 45,005

Customer Number 22862